

FISCAL NOTE

SB 2143 - HB 2100

January 26, 1998

SUMMARY OF BILL: Reduces the blood alcohol content from .10% to .08% at which is unlawful to operate a motor vehicle (driving under the influence).

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$22,100/Incarceration*
Increase State Revenues - Not Significant

Increase Local Govt. Expenditures - \$184,000**
Increase Local Govt. Revenues - Exceeds \$1,000,000

Assumes an increase in local government expenditures for increased incarceration for an additional 2,135 DUI convictions given the minimum sentence at an average cost of \$43 per day. Estimate assumes a 10% increase in convictions, (10% X 21,346).

The potential increase in local government revenue is dependent upon the increase in convictions, the average fine levied and the collection rate. Based on minimum fines a ten- percent increase in convictions would be approximately \$750,000 and based on maximum fines about \$3,200,000.

The estimate also assumes a small increase in state revenues from driver license reinstatement fees that would not have been collected in the absence of this bill.

It is estimated there could be an increase in the number of persons convicted of vehicular homicide by intoxication. In 1996, 24 offenders were convicted of vehicular homicide by intoxication, which is a Class B felony, and 49 offenders convicted of reckless vehicular homicide, a Class C felony. This estimate assumes that one conviction per year would be elevated from Class C to Class B due to the provisions of this bill.

**Section 9-6-119, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law.*

***Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James A. Davenport". The signature is fluid and cursive, with the first name "James" being the most prominent.

James A. Davenport, Executive Director